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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,741	09/12/2003	Simon Tong	53051/288305	8303

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PATENT DEPARTMENT - 53051
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EXAMINER

LEWIS, CHERYL RENE A

ART UNIT PAPER NUMBER

2167

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/661,741	Applicant(s) TONG ET AL.	
	Examiner Cheryl Lewis	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/5/04; 3/3/05; 6/6/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-44 are presented for examination.

INFORMATION DISCLOSURE STATEMENT

2. The information disclosure statements filed on August 5, 2004; March 3, 2005; and June 6, 2005, complies with the provisions of MPEP § 609. They have been placed in the application file, and the information referred to therein has been considered as to the merits.

Drawings

3. The drawings filed on September 12, 2003 are approved by the Examiner.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaudhry (Pat. No. 6,567,103 B1 filed August 2, 2000) and Carlson et al. (Pub. No. US 2003/0229640 A1 filed June 7, 2002, hereinafter Carlson).

6. Regarding Claims 1 and 23, Chaudhry teaches graphical results system and method.

The method and associated system for as taught or suggested by Chaudhry includes:

receiving a search query (3, lines 54-67, col. 4, lines 1-15); determining a first article associated with the search query (col. 4, lines 16-41); and determining a first ranking score for the first article based at least in part on data (col. 4, lines 16-41, col. 5, lines 11-52 and 58-63).

However, Chaudhry does not expressly teach a first population associated with the search query and data associated with the first population.

Carlson teaches a first population associated with the search query (paragraph 0143) and data associated with the first population (0061 and 0066).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the query population method of Carlson with the query relevance generating method of Chaudhry because Carlson's query population could enable the query relevance generating method to comprise a query buffer which ensures the integrity of the execution of data from a first portion of a query from an original source and ensuring that records within the query buffer will not be duplicated (see Carlson, paragraph 0015).

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7. Regarding Claims 2, 24, and 28, Carlson teaches determining a first population associated with the search query comprises determining a demographic data

associated with a sender of the search query (paragraph 0047, 0064, and 0066).

8. Regarding Claims 3 and 25, Carlson teaches determining the demographic data

associated with the sender comprises determining a likely geographic location for the sender (paragraph 0047, 0061, 0064, and 0066).

9. Regarding Claim 4, Carlson teaches determining the likely geographic location

for the sender comprises determining at least one of the following: demographic data input by the sender (paragraph 0047, 0061, 0064, and 0066).

10. Regarding Claims 5 and 27, Carlson teaches the demographic data for the

sender comprises determining at least one of the following: a country (paragraph 0047, 0061, 0064, and 0066).

11. Regarding Claim 6, Carlson teaches the first population associated with the

search query comprises determining a demographic data associated with the search query (paragraph 0143).

12. Regarding Claims 7 and 29, Carlson teaches determining the demographic data

associated with the search query comprises at least one of the following: determining the language of the search query (paragraph 0047, 0061, 0064, and 0066).

13. Regarding Claims 8 and 30, Carlson teaches the first population associated with

the search query comprises determining a self-identification data associated with a user transmitting the search query (paragraph 0047, 0061, 0064, and 0066).

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14. Regarding Claims 9 and 31, Carlson teaches the self-identification is selected from at least one of the following user preference data (paragraph 0047, 0061, 0064, and 0066).

15. Regarding Claims 10 and 32, Chaudhry teaches the search query comprises determining an automatic-identification data associated with a user transmitting the search query (col. 3, lines 42-67, col. 4, lines 3-23).

16. Regarding Claims 11, 26, and 33, Chaudhry teaches the automatic-identification data comprises at least one of the following an IP address (col. 5, lines 56-67).

17. Regarding Claims 12 and 34, Chaudhry teaches a selection score for the first article (col. 4, lines 16-41, col. 5, lines 11-52 and 58-63).

18. Regarding Claims 13 and 35, Chaudhry teaches the selection score for the first article in the context comprises a number of clicks for the article (col. 4, lines 16-41, col. 5, lines 11-52 and 58-63).

19. Regarding Claims 14 and 36, Carlson teaches the first population comprises a number of members of the population (paragraph 0047, 0061, 0064, and 0066).

20. Regarding Claims 15 and 37, Carlson teaches the number of members of the first population comprises a number of members of the first population that selected a result returned for the search query (paragraph 0047, 0061, 0064, and 0066).

21. Regarding Claims 16, 17, 38, and 39, the limitations of these claims have been noted in the rejections of claims 14 and 15 presented above. They are therefore rejected as set forth above.

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22. Regarding Claims 18-20 and 40-42, the limitations of these claims have been noted in the rejections of claims 1, 12, and 18 presented above. They are therefore rejected as set forth above.

23. Regarding Claims 21 and 43, Chaudhry teaches determining a second article associated with the search query (col. 4, lines 16-41); and determining a second ranking score for the article based at least in part on the data (col. 4, lines 16-41, col. 5, lines 11-52 and 58-63).

24. Regarding Claims 22 and 44, Chaudhry teaches ranking the first article and the second article based at least in part on the first ranking score and the second ranking score (col. 4, lines 16-41, col. 5, lines 11-52 and 58-63).

NAME OF CONTACT

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Cheryl Lewis". The signature is fluid and cursive, with the first name "Cheryl" being more prominent than the last name "Lewis".

Cheryl Lewis
Patent Examiner
March 3, 2006